

**Connecticut Pilot Commission  
Summary Report May 18, 2010 Public Meeting  
Coast Guard Sector Long Island Sound  
New Haven, CT**

1.) The public meeting was called to order at 8:33 a.m. by the Chairman. Pilot Commission members Rick Barry, Chuck Beck, Peter Boynton, Vincent Cashin, Bill Gash, Ralph Gogliettino, John Love and Dave Pohorylo were present forming a quorum of eight. Also attending was Alan Stevens and Dave Rossiter of CTDOT, Captain Ronan and CDR Kevin Oditt of the USCG, Dan Coleman of the FBI, Judi Sheffele, Tom Dubno, Bill Mulligan, Ted Sanford, Charlie Jonas, Joe Maco, Paul Costabile, M.A. Peszke, John Jamroga and Alex Woodworth.

2.) A motion to approve the summary report of the April 20, 2010 meeting was made by Rick Barry, seconded by Vin Cashin and approved by unanimous vote.

3.) Continuing Business:

Prior to discussion on the agenda items, the Chairman made note of an e-mail submitted to the CPC Commissioners by Ted Sanford concerning a quarantine issue that occurred over May 14-15 2010. A motion was made by Beck and seconded by Barry to add the issue to the agenda and place it at the top of the New Business. The motion passed unanimously with little discussion. The Chairman read excerpts from the Sanford e-mail. According to the e-mail, the incident involved the vessel Federal Margaree, a vessel inbound to New Haven and a reported sick crew member. The vessel reported having a sick crew member to the shipping agent twice on 5/13. At 2300 on 5/13, CG Sector LIS contacted the vessel requesting hourly updates on the condition of the crewman. A question was asked and answered in the affirmative if New England Shipping was the shipping agent. On or about 0700 5/14, CG Sector LIS rejected the vessel Captain's request for a MEDIC+VAC. At 1100 5/14 a meeting was held to determine if the vessel needed to be quarantined upon arrival to port. The e-mail questioned the decision making timeline and requested that a procedure be established by CG Sector LIS to facilitate a quarantine decision be made prior to the pilot boarding the vessel.

Captain Ronan, Commanding Officer of CG Sector LIS, agreed that a better procedure was in order. He then asked CDR Oditt to provide the timeline of events and the reasoning behind the decisions not to remove the crewman until reaching port as well as quarantining the vessel, crew and pilot upon arrival. CDR Oditt stated that the CG and the Customs and Border Patrol (CBP) were notified of the sick crewman at around 1700-1800 on 5/13. The vessel port history showed a visit to the Netherlands 2 weeks prior. A Q-Fever alert had been issued for the Netherlands 2 days prior. CG Sector LIS notified CCGD1 Command Center who put the Sector in touch with the CCGD1 Flight Surgeon. Contact was made with the vessel between 2000 and 2200 on 5/13 before the vessel entered Sector LIS waters. Through a series of questions and answers, the Flight Surgeon determined that it was not necessary to MEDIC+VAC the crewman. The vessel's Italian agent agreed the CG Flight Surgeon's decision to hold off on removing the crewman until the vessel reached port. CBP notified the CDC and the CT DPH. US Customs has the lead with respect to removing a foreign nation from a vessel for entry into the US. The CBP and CG held a meeting with the City of New Haven Public Health official that included the City's EMS/Fire Department. The need to quarantine the vessel upon arrival as well as concern for removal of the pilot was discussed during the meeting. Upon arrival, the vessel was boarded by CBP, local Public Health official, the situation was assessed, the sick crewman removed and taken to a local hospital for diagnosis. The vessel crew and pilot were quarantined for approximately 5 hours when it was determined that the crewman was suffering from appendicitis vs an infectious disease.

There was a discussion on lessons learned from the incident. (1) Communications with all concerned early on is needed in such cases. (2) The JRA needs to be notified as soon as

possible and provided with advice from public health officials to be able to keep the pilots properly informed. Captain Ronan stated that the CG had not considered use of quarantine early on. He further stated that the CG would be meeting with CTDPH officials on Friday 5/21 to review the case, steps taken and lessons learned. He committed to notifying the JRA earlier in the process should there be similar cases in the future. Captain Ronan suggested that the CPC ask the CTDPH to attend and discuss public health issues at a future meeting.

Chairman Boynton stated that he would put that before the CPC Commissioners. He thanked the CG for admirably being forthcoming and providing a timely follow-up to the incident. He thanked the CPC Commissioners for adding the item to the agenda so that it could be discussed. Vin Cashin stated that he had raised this issue at a previous CPC meeting which resulted in a letter to CTDOT asking for assistance from CTDPH and a CTDPH reply. He expressed his concerns and need to know in advance of boarding if there are any health issues on a vessel; pilots board a vessel, spend hours aboard, perhaps accept nourishment (food and drink) while aboard. He asked if the meeting between the CG and the CTDPH would be with the same persons who responded to the previous letter. Beck responded that they would be the same but that the issue raised in the letter dealt with elevating the pilots on the priority list for vaccinations, not matters of quarantine. John Love asked if anybody knew of any case where a pilot had contracted and infectious disease from a crew of a ship boarded. No was offered by Vin Cashin. The Chairman restated the idea of adding the CTDPH discussion to the June CPC meeting agenda.

Joe Maco stated that he had forwarded Ted Sanford's e-mail to the NY Board and reported that the NY Board would be discussing the matter at today's meeting. The Chairman asked Joe to pass his remarks about the stellar job CG Sector LIS did as well. There was some further discussion about a past case involving chicken pox and a Saga vessel. Joe Maco was the pilot and stated that he was quarantined on the SAGA vessel. It was only after the Health Authorities decided to remove the sick crew member for examination, that he was allowed ashore. Ted Sanford expressed his thanks to the CG for getting on top of the issue. However, he expressed his opinion that the transit into port should not be used as a tool to gather more information. He also thanked the CPC Commissioners for addressing the issue. He offered as a potential solution that if there were any doubt in the future, removing a crewmember near or just before the Point Judith boarding station would afford a quick transit ashore to South County Hospital.

In response to a question from Captain Ronan, it was determined that the pilots do not presently carry M-95 masks, protective gloves or disinfectants. Charlie Jonas stated that will look into providing such equipment. The Chairman closed the discussion with the following summary:  
1. The CG would pursue establishing a written protocol. 2. Steps would be taken to get the CTDPH and possibly CBP representatives to attend a future CPC meeting. 3. There is no indication of malfeasance on the part of the CG as indicated in the e-mail. The discussion returned to the agenda.

A. Pilot Boat Operating Costs – Beck stated that the generic model produced a yearly cost but not a per trip cost. CTDOT staff members were in the process of determining an average number of yearly pilot boat trips made from data provided by the Joint Rotation Administrator (JRA). Further discussion was deferred to the next CPC meeting.

B Objectives and Goals - Apprentice Selection and Training Regulation  
Chuck Beck stated that he didn't have anything new to report on the status of the proposed change to the regulation. As reported at the last meeting, the draft Apprentice Selection and Training regulation along with the required supporting documents had been forwarded to regulation review process.

C. Pilot Fee Distribution to States – An e-mail exchange among the NY Board, CTDOT and the JRA was brought to the attention of the CPC Commissioners. The content of the e-mail confirmed that the proper method of distributing the percentage of pilotage fees to the states (6%

to CT and 3% to NY) should be based on the license of the pilot, not the port of call. All agreed that July 1, 2010 would be the date to convert from the present to the proper method.

#### D. License Moratorium – License Application Update.

Chuck Beck reported that as a result of a request by the CT licensed pilots on the CT side of the rotation, a public solicitation and associated review process developed and approved by the CPC, the CTDOT had recently licensed a new pilot; M.A. Peszke. A copy of a memo to the CTDOT Commissioner that explained the vetting process as well as a copy of the licensing letter was part of the meeting package.

### 4.) New Business

A. License Issues – Maco Letter. Chuck Beck was asked to bring all up to speed on a letter submitted to the CPC by Joe Maco back on January 18, 2010. The letter had been hand delivered to the CPC at the January 19, 2010 meeting. However, the letter and/or the issues contained within did not receive a motion/second thus, no vote to add to the agenda. The February CPC meeting was cancelled due to weather. The topic did not come up again until a recent request was made by Joe Maco to add it to the May CPC meeting agenda. A copy of the letter was part of the meeting package and the highlights were reviewed. In the letter a request for the CPC to rescind its request to the CTDOT for a new CT license to be issued until such time as a properly approved and administered selection criterion is legally adopted by the CTDOT. The request was based on several points. One was that the CT licensed pilots on the CT side of the rotation could adjust their time on/off rotation schedule instead of adding a pilot. Another point made was that the pilot recommended by the CT pilots has not been fully vetted by either the CTDOT or the CPC for past violations of CGS Chapter 263 Sec 15-13. Consideration is not being given to pilots either previously licensed by CTDOT or CT residents licensed by the NY Board. Two additional points mentioned had to do with past agreements, written or otherwise, among various pilot groups or individuals relative to shares of work. In closing the letter requested that the CPC form a committee in conjunction with the NY Board to study the history of the pacts leading to the present agreement, to develop a timeline from beginning to present and map out the course for the future.

Vice Chairman Barry stated that all of the points had already been addressed by the process the CPC recommended to the CTDOT for vetting applicants for a new license. Dave Pohorylo agreed. Their statements drew a question from Joe Maco about whether or not the CTDOT fully vetted the person granted a CT license. He again questioned the urgent need and repeated the points contained in the letter. Chairman Boynton reviewed the memo to Commissioner Marie that fully explained the process used to solicit the applicants and select the top applicant. He summarized three points: (1) CTDOT took the pilots concerns for a new license seriously (2) a very detailed and transparent "vetting" process was used (3) history is important but questioned to what end. Chuck Beck stated that over the course of the past couple of years he had reviewed most if not all of the previous agreements. However, it was his opinion that they were all null and void once the MOA between the two licensing authorities (CTDOT and the NY Board) was executed. Joe Maco stated that if that's the attitude then legal action might need to be taken. He again asked for the CPC to form a committee. The Chairman reviewed the specifics of Joe Maco's request and asked for any comments from the CPC Commissioners. None were offered.

B. Recency Issues. Vin Cashin took the lead stating that the traffic in the MOA waters was down, particularly in Bridgeport Harbor and the western end of LIS. New London was also becoming a problem. The lack of "rides" was causing a problem among the licensed pilots. The CT pilots are investigating charting a vessel to make the transits for all pilots in order to retain recency. He opined that with advanced technology such as laptops with electronic charts (ECS) and GPS that perhaps a virtual transit could be considered. Vin Cashin requested that the CTDOT relax the recency requirement in the regulations that require at least one ride every six months over the waters/harbor for which he has been issued a license to retain recency. Vin Cashin stated that several years ago a recency exception was made for a gambling ship that transited Fishers Island Sound (FIS). He reported that pilots were only required to review the

charts vs obtain a license for FIS. Riding the Bridgeport-Port Jefferson Ferry to retain recency in Bridgeport Harbor was OK but didn't solve the western end of LIS problem. In the more recent past, the NY Board had arranged use of the Sandy Hook Pilot vessel to make transits of the western end and included most of the CT licensed pilots. However, there is a lack of funding to operate the vessel for such purposes. Vice Chairman Barry stated that he understood the problem but that he did not consider a virtual transit using a laptop computer to be a viable substitute. The Chairman agreed that doing so would be a leap to far. Joe Maco stated that any effort to arrange a charter should be coordinated with the NY Board and be offered to both CT and NY licensed pilots. He restated that comment about the Sandy Hook vessel being made available to all previously and further stated that the western end of LIS was entirely NY waters. Vin Cashin responded that there was no intent by the CT side of excluding anybody. Ted Sanford offered that there were two different kinds of recency: open water transits and harbor transits. He further stated that riding a ferry was not the same as a large deep draft vessel. Charlie Jonas stated that he had discussed the matter with the NY side/Sandy Hook Pilots and with Miller Marine. He offered his thoughts on the potential solutions:

- (1) relaxing the recency requirement (the least costly)
- (2) using the laptops as simulators
- (3) hiring launches or vessel (most expensive)

The Chairman summarized by stating that the CPC supports a joint effort between the CT and NY side to charter a vessel or use the Sandy Hook pilot vessel. He inquired if anybody could confirm what the NY Board recency requirement was. No one could so it will be researched for the next meeting. Bill Gash agreed that before the CPC should make any recommendation more data was needed. Joe Maco provided some additional information on the length/beam/draft of the previously mentioned gambling boat summarizing that it was more the size of a yacht than a cargo ship. He also opined that using a ferry or chartered vessel is OK as a short term recency fix for pilots who were already qualified for a body of water but should not be used to qualify a pilot who had not already obtained the necessary rides of initial qualification. Chairman Boynton emphasized that the CPC is not considering relaxing the recency requirement at this time merely discussing. Vin Cashin stated that the recency requirement in the state regulations does not address the size/draft of the vessel. Chuck Beck offered that a regulation could not be "relaxed"; it would have to be amended. Chairman Boynton brought the discussion to a close by asking Chuck Beck to review and compare the NY requirement for recency to CT's. He further asked the CT pilots to provide some information on the scope of the problem (number of pilots at risk, change in number of vessel, etc).

5. CONNDOT Comments – Dave Rossiter advised that the aforementioned recency requirement was actually in the CT General Statutes not the state regulations. Chuck Beck provided a quick review on legislation passed during the 2010 legislative session that would have an affect on the CPC. CGS Section 13b-51b was amended to add providing staff support by the State Maritime Office to the CPC. CGS Section 15-13c was amended eliminating reimbursement of necessary expenses for CPC members.

6. USCG Comments

A. LIS AMSC – CDR Kevin Oditt introduced the new CG Sector LIS Executive Officer CDR Holly Najorian. He advised that New Haven Harbor buoy 10 was now New Haven Harbor Lighted Buoy 10. CDR Oditt stated that he would be departing CG Sector LIS on July 2<sup>nd</sup>. Joe Maco asked who the point of contact would be on the designated anchorage/lightering area issue. CDR Oditt stated that LT Coleman had the lead. He further stated that straight to the CG was going to the Final Rule phase of the regulatory process relative to the anchorages.

B. LIS HSC – See 6A.

7. Executive Session – No Executive Session was requested thus held.

8. A motion to adjourn was made by Bill Gash, seconded by Vin Cashin and approved by unanimous vote. The meeting adjourned at 0948.

The Commission's next public meeting is scheduled for **8:30 a.m. on Tuesday June 25, 2010 at the Coast Guard Sector Long Island Sound in New Haven, CT**

Peter Boynton  
Chairman, Connecticut Pilot Commission

